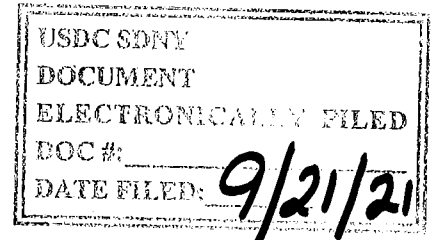


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
JONATHAN OLIVER,

Plaintiff,

v.

ARMY WEST POINT ATHLETIC
ASSOCIATION,

Defendant.
-----X

ORDER

20 CV 6934 (VB)

Defendant having moved to dismiss the amended complaint, it is hereby ORDERED:

1. The motion to dismiss plaintiff's First, Second, and Fourth claims for relief is DENIED.
2. The motion to dismiss plaintiff's Third claim for relief is GRANTED.
3. Defendant shall file an answer by October 5, 2021.
4. By separate order, the Court will schedule an initial conference for **October 25, 2021, at 11:30 a.m.**, at which time the Court will issue a bench ruling explaining the basis for its decision. The Court expects to conduct this proceeding in person, in the Courthouse.
5. By **October 18, 2021**, counsel shall complete and file on the ECF docket their proposed Civil Case Discovery Plan and Scheduling Order, the form for which will be attached to the Notice of Initial Conference.
6. The Clerk is instructed to terminate the motion. (Doc. #14).

Dated: September 21, 2021
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent Briccetti".

Vincent L. Briccetti, U.S.D.J.